IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 4380 of 2007(U)

PETITIONERS:

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1. AHAMED KABEER, S/O. P.K. KOYA,
   PARAPPUKADAVATH HOUSE, P.O. PATHUR, KOTTAKKAL,
   SALESMAN, MAVELI STORE, PUTHUPARAMBU.

2. MARIAMMA K.JOHN, D/O.K.M.JOHN (LATE),
   KALAPURACKAL HOUSE, EDAKKARA P.O., MUPPINI.

3. MUHAMMED SAKKEER K., S/O.HAMZA,
   KOTTATHARA HOUSE, EDDAKKATTUPARAMBU,KANNAMKULAM,
   B.P. ANGADI P.O., TIRUR-676102.

4. SUNITHA N.,
   NEDUTHODI HOUSE, KURUMBATHOOR,
   THIRUNAVAYA (VIA), MALAPPURAM.

5. VASANTHA K., AGED 40 YEARS,
   W/O. PRAKASH, VALLIKKAD HOUSE, VAZHAKKAD P.O.,
   ERNAD TALUK, SALESMAN, MAVELI STORE, OMANNUR.

6. SREEJA, D/O. RAGHAVA PANICKER,
   DREEMS, NILAMBUR, SALESMAN, MAVELI STORE, NILAMBUR

7. MOHAMMED ALI, S/O. MOIDEEN,
   THIRUVANANGADI, SALESMAN, MAVELI STORE,
   THIRUVANGADI.

8. K.P. CHOYIKUTTY, S/O. SANKUNNI,
   KOTTAKKOTTIL HOUSE, PULIKKAL, ERNAD TALUK,
   SALESMAN, MAVELI STORE, KONDOTTY.

9. P. ANIL KUMAR,
   PADATTUMKUNNIL, KADAMPOD P.O., MANJERI VIA.,
   SALESMAN, MAVELI STORE, PANTHALLOOR.

10. HANEEFA N., S/O. JAMALU,
    NOTTATH HOUSE, P.O. DOWN HILL, MALAPPURAM,
    WORKING AT SUPPLYCO DEPOT, MANJERI.

11. PRAVEEN ADIKARATH, S/O. BALAKRISHNAN,
ADIKARATH HOUSE, VALIYAD, KODUR P.O., MALAPPURAM,
WORKING AT SUPPLYCO DEPOT, MANJERI.

12. P. SREENIVASAN, S/O.RAMACHANDRAN NAIR,
KUNNATH MATTAYIL HOUSE, P.O. KAVANJERI,
(VIA) MALAPPURAM, TIRUR, SALESMAN, MAVELI STORE,
KARUMBADI.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, MALAPPURAM.

3. REGIONAL MANAGER,
CIVIL SUPPLIES, PALAKKAD.

4. ASSISTANT MANAGER,
CIVIL SUPPLIES, MANJERI.

5. ASSISTANT MANAGER,
CIVIL SUPPLIES, TIRUR.

*6. CHAIRMAN & MANAGER,
CIVIL SUPPLIES CORPORATION, MAVELI BHAVAN,
GANDHI NAGAR, KOCHI

* R6 IS IMPLEADED AS PER ORDER DATED 15.2.2007 IN I.A.2199/07.

BY ADV. SRI.R.LAKSHMI NARAYAN
GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No. 4380 of 2007-U

Dated this the 11th day of June, 2007.

J U D G M E N T

The petitioners are physically handicapped persons appointed under Rule 9 (a) (1) of the Kerala State & Subordinate Service Rules, in September, 2006, for a period of 179 days or till the P.S.C. hands reports for duty, whichever is earlier. This writ petition is filed by them claiming regularisation in service. An appointee under Rule 9 (a) (1) of the KS & SSR has no legal right to claim regularisation, on the ground that he is a physically handicapped person. Of course, the Government have ordered regularisation of physically handicapped provisional employees who have worked between 1-1-1997 and 15-8-1998. But, the petitioners do not come under the said category. Therefore, the claim of the petitioners is plainly untenable. Accordingly, the Writ Petition fails, and it is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS